

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**MELISSA DUFOUR**

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**CRIMINAL NO. 23-00131-WS**

**MOTION FOR DETENTION**

The United States moves for pretrial detention of the defendant, pursuant to Title 18, United States Code, Section 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because this case involved:

- A. \_\_\_\_ Crime of Violence (18 U.S.C. § 3156);
- B. \_\_\_\_ This is an offense for which the maximum sentence is life imprisonment or death;
- C. X This is a drug offense for which a maximum term of imprisonment of ten years or more is prescribed;
- D. \_\_\_\_ The above-named defendant(s) has committed a felony after having been convicted of two or more prior offenses described in paragraphs A through C, or two or more state or local offenses that would have been offenses described in paragraphs A through C if a circumstance giving rise to Federal jurisdiction had existed;
- E. \_\_\_\_ Any felony that is not otherwise a crime of violence that involves a minor victim or that involves the possession or use of a firearm or destructive device (as those terms are defined in section 921), or any other dangerous weapon, or involves a failure to register under section 2250 of title 18, United States Code;

- F.   X   There is a serious risk that the above-named defendant will flee;
- G.   X   There is a serious risk that the above-named defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness or juror.

2. Reason for Detention. The court should detain the defendant because there are no conditions or combination of conditions of release which will reasonably assure:

- A.   X   The defendant's appearance as required; and/or
- B.   X   The safety of any other person and/or the community.

3. Rebuttable Presumption. The United States will not invoke the rebuttable presumption against the defendant pursuant to Title 18, United States Code, Section 3142(e). If yes, the rebuttable presumption arises because:

- A.   X   There is probable cause to believe that the defendant committed a drug offense for which a maximum term of imprisonment of ten years or more is prescribed or an offense under Title 18, United States Code, Section 924(c).
- B.        The defendant has been convicted of a Federal offense as described in Title 18, United States Code, Section 3142(f)(1), or of a state or local offense that would have been an offense described in the above section if a circumstance giving rise to Federal jurisdiction had existed; and
- C.        The defendant committed the offense described in paragraph B above while on release pending trial for a Federal, State, or local offense; and

D. \_\_\_\_ A period of not more than five years has elapsed since the date of conviction for offense described in paragraph C above, or the release of the person from imprisonment, whichever is later.

E. \_\_\_\_ The defendant is alleged to have committed a crime concerning the exploitation of a child as referred to in Title 18, United States Code, Section 3142(e).

4. Time for Detention Hearing. The United States, by and through the undersigned Assistant United States Attorney, requests that this court conduct a detention hearing:

A. \_\_\_\_ At first appearance; or

B. X After a continuance of 3 days (not to exceed three days).

Dated this 25<sup>th</sup> day of July, 2023.

SEAN P. COSTELLO  
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by:

/s/George F. May  
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